

06 CV 7111
U.S. District Court
SOUTHERN DISTRICT OF TEXAS (Galveston)
CIVIL DOCKET FOR CASE #: 3:06-cv-00379
Internal Use Only

Ferry v. SGS Control Services Inc et al
Assigned to: Judge Samuel B Kent
Cause: 29:203 Equal Pay Act

Date Filed: 06/08/2006
Jury Demand: None
Nature of Suit: 710 Labor: Fair Standards
Jurisdiction: Federal Question

Plaintiff

Brian Ferry

Individually and on behalf of others similarly situated

represented by **Dan Getman**
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FILED
U.S. DISTRICT COURT
2006 SEP 15 PM 2:58
S.D. OF N.Y.

Plaintiff

Rene M. Rendon

represented by **Edward J Tuddenham**
(See above for address)

Plaintiff

Houston C. Ervin

represented by **Edward J Tuddenham**
(See above for address)

Plaintiff

Russell Freese

represented by **Edward J Tuddenham**
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Plaintiff

Leslie Goodman

represented by **Edward J Tuddenham**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Kevin Mitchell

represented by **Edward J Tuddenham**
(See above for address)

TRUE COPY I CERTIFY
ATTEST:
MICHAEL N. MILBY, Clerk
By Catherine E. Miller
Deputy Clerk

Plaintiff

Ruben Meza

represented by **Edward J Tuddenham**
(See above for address)

Plaintiff

Anthony J. Mustillo

represented by **Edward J Tuddenham**
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Plaintiff

David Springston

represented by **Edward J Tuddenham**
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Plaintiff

Richard D. Taylor

represented by **Edward J Tuddenham**
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Plaintiff

David Keith Whitten

represented by **Edward J Tuddenham**
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Plaintiff

Marcus S. Allen

represented by **Edward J Tuddenham**
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Plaintiff

Larry Prochazka

represented by **Edward J Tuddenham**
(See above for address)

V.

Defendant

SGS Control Services Inc

represented by **David W Long-Daniels**
Greenberg Traurig
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Defendant

SGS North America Inc












represented by **David W Long-Daniels**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Kimberly H Martin
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Lawrence Bradley Hancock
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
06/08/2006	<u>1</u>	COMPLAINT against all defendants (Filing fee \$ 350) filed by Brian Ferry.(ceaton,) (Entered: 06/08/2006)
06/08/2006	<u>2</u>	ORDER for Initial Pretrial and Scheduling Conference and Order to Disclose Interested Persons. Initial Conference set for 9/6/2006 at 09:40 AM before Judge Samuel B Kent. (Signed by Judge Samuel B Kent) Parties notified. (ceaton,) (Entered: 06/08/2006)
06/08/2006	<u>3</u>	Filing fee re: <u>1</u> Complaint: \$ 350.00, receipt number 320306 , filed. (ceaton,) (Entered: 06/08/2006)
06/08/2006	<u>3</u>	ORDER re: Computer codes printed on proposed orders .(Signed by Judge Samuel B Kent) Parties notified.(ceaton,) (Entered: 06/09/2006)
06/08/2006	<u>3</u>	Summons Issued as to SGS Control Services Inc, SGS North America Inc , filed. (ceaton,) (Entered: 06/09/2006)
06/20/2006	<u>4</u>	Mail Returned Undeliverable as to attorney Edward J Tuddenham re: <u>2</u> Order for Initial Conference and Disclosure - FORMS , filed. (ejarez,) (Entered: 06/21/2006)
06/22/2006	<u>5</u>	Mail Returned Undeliverable as to attorney Edward J Tuddenham re: <u>3</u> Order , filed. (sbyrum,) (Entered: 06/22/2006)
07/03/2006	<u>6</u>	CONSENT to Join a Collective/Class Action by Brian Ferry, filed.(mgore,) (Entered: 07/03/2006)
07/03/2006	<u>7</u>	CONSENT to Join a Collective/Class Action by Brian Ferry, filed.(mgore,) (Entered: 07/03/2006)
07/04/2006	<u>8</u>	MOTION for Dan Getman to Appear Pro Hac Vice by Brian Ferry, filed. Motion Docket Date 7/24/2006. (swhite) (Entered: 07/06/2006)
07/04/2006	<u>9</u>	ORDER granting <u>8</u> Motion to Appear Pro Hac Vice .(Signed by Judge Samuel B Kent) Parties notified.(swhite) (Entered: 07/06/2006)

08/01/2006	<u>10</u>	ANSWER to Complaint by all defendants, filed.(Hancock, Lawrence) (Entered: 08/01/2006)
08/01/2006	<u>11</u>	MOTION for David W. Long-Daniels, Esq. to Appear Pro Hac Vice by all defendants, filed. Motion Docket Date 8/21/2006. (Hancock, Lawrence) (Entered: 08/01/2006)
08/01/2006	<u>12</u>	MOTION for Kimberly N. Martin, Esq. to Appear Pro Hac Vice by all defendants, filed. Motion Docket Date 8/21/2006. (Hancock, Lawrence) (Entered: 08/01/2006)
08/03/2006	<u>13</u>	ORDER granting <u>11</u> Motion to Appear Pro Hac Vice .(Signed by Judge Samuel B Kent) Parties notified.(cmcbroom,) (Entered: 08/04/2006)
08/03/2006	<u>14</u>	ORDER granting <u>12</u> Motion to Appear Pro Hac Vice .(Signed by Judge Samuel B Kent) Parties notified.(cmcbroom,) (Entered: 08/04/2006)
08/03/2006		***Attorney Kimberly H Martin for SGS Control Services Inc and SGS North America Inc added. (cmcbroom,) (Entered: 08/08/2006)
08/08/2006	<u>15</u>	NOTICE of Consent to sue by Rene M. Rendon, filed. (Tuddenham, Edward) (Entered: 08/08/2006)
08/10/2006	<u>16</u>	NOTICE of CONSENT TO SUE OF HOUSTON C. ERVIN by Houston C. Ervin, filed. (Tuddenham, Edward) (Entered: 08/10/2006)
08/17/2006	<u>17</u>	NOTICE of interested persons by all plaintiffs, filed. (Attachments: # <u>1</u>)(Tuddenham, Edward) (Entered: 08/17/2006)
08/21/2006	<u>18</u>	NOTICE of filing of consent to sue form of Clarence R. Patterson by all plaintiffs, filed. (Attachments: # <u>1</u> # <u>2</u>)(Tuddenham, Edward) (Entered: 08/21/2006)
08/22/2006	<u>19</u>	NOTICE of Change of Address by Edward Tuddenham, counsel for all plaintiffs, filed. (Attachments: # <u>1</u>)(Tuddenham, Edward) (Entered: 08/22/2006)
08/25/2006	<u>20</u>	NOTICE of filing of Warren Roy Moore's consent to sue form by all plaintiffs, filed. (Attachments: # <u>1</u> # <u>2</u>)(Tuddenham, Edward) (Entered: 08/25/2006)
08/25/2006	<u>21</u>	JOINT DISCOVERY/CASE MANAGEMENT PLAN by all parties, filed.(Long-Daniels, David) (Entered: 08/25/2006)
08/28/2006	<u>22</u>	NOTICE of Filing of Consent to Sue Forms For Timothy Callas and Chris Gassaway by all plaintiffs, filed. (Attachments: # <u>1</u> # <u>2</u> # <u>3</u>)(Tuddenham, Edward) (Entered: 08/28/2006)
08/28/2006	<u>23</u>	NOTICE of Filing of Micahel W. Herron Sr.'s Consent To Sue Form by all plaintiffs, filed. (Attachments: # <u>1</u> # <u>2</u>)(Tuddenham, Edward) (Entered: 08/28/2006)
08/31/2006	<u>24</u>	MOTION for Rodney G. Moore to Appear Pro Hac Vice by SGS Control Services Inc, SGS North America Inc, filed. Motion Docket Date 9/20/2006. (Hancock, Lawrence) (Entered: 08/31/2006)
08/31/2006	<u>25</u>	NOTICE OF FILING OF CONSENT TO SUE by Russell Freese, Leslie Goodman, filed. (Attachments: # <u>1</u> Consent to sue of Russell Freese# <u>2</u> Consent to sue of Leslie Goodman)(Tuddenham, Edward) (Entered: 08/31/2006)
08/31/2006	<u>26</u>	NOTICE OF FILING OF CONSENT TO SUE by Kevin Mitchell, filed. (Attachments: # <u>1</u> Consent to Sue of Kevin Mtichell)(Tuddenham, Edward) (Entered: 08/31/2006)
09/01/2006	<u>27</u>	MOTION for Rodney G. Moore to Appear Pro Hac Vice by SGS Control Services Inc, SGS North America Inc, filed. Motion Docket Date 9/21/2006. (Hancock, Lawrence) (Entered: 09/01/2006)
09/02/2006	<u>28</u>	Opposed MOTION for Protective Order by all plaintiffs, filed. Motion Docket Date 9/22/2006. (Attachments: # <u>1</u> Exhibit Affidavit of Kevin Mitchell# <u>2</u> Exhibit Px 2 Affidavit of Russell Freese# <u>3</u> Exhibit Px 3 SGS "Agreement"# <u>4</u> Exhibit Px 4 Affidavit

		of Edward Tuddenham# 5 Exhibit Px 5 Ferrer v. SGS, Jury Trial Transcript Vol. 6a pp. 77-82# 6 Exhibit Px 6 Ferrer v. SGS Jury Trial Transcript Vol. 7 pp. 103-107# 7 Certificate of Service# 8 Proposed Order Proposed Order# 9 Cover letter to Judge Kent dated 09.02.06)(Tuddenham, Edward) (Entered: 09/02/2006)
09/02/2006	 29	BRIEF In support <i>Plaintiff's Emergency Motion for Protective Order, Sanctions, and Corrective Notice</i> re: 28 Opposed MOTION for Protective Order by all plaintiffs, filed. (Attachments: # 1 Certificate of Service)(Tuddenham, Edward) (Entered: 09/02/2006)
09/05/2006	 30	MOTION to Certify Class by all plaintiffs, filed. Motion Docket Date 9/25/2006. (Attachments: # 1 Notice of Lawsuit with Opportunity to Join# 2 Proposed Order # 3 Certificate of Service)(Tuddenham, Edward) (Entered: 09/05/2006)
09/05/2006	 31	BRIEF In Support Of <i>Plaintiff's Motion to Conditionally Certify Fair Labor Standards Act Opt-In Class and To Issue Notice</i> re: 30 MOTION to Certify Class by Brian Ferry, filed. (Attachments: # 1 Exhibit A - 2005 Annual Report# 2 Exhibit B - Answer# 3 Exhibit C - # 4 Exhibit C - Continued# 5 Exhibit C - Continued# 6 Exhibit C - Continued# 7 Exhibit C - Continued# 8 Exhibit D - Milne Deposition# 9 Exhibit E - OGC Employee Handbook# 10 Exhibit F - Plewa Deposition# 11 Exhibit G - Bloom Memo# 12 Exhibit H - Ferrer Transcript# 13 Exhibit I - Bloom Letter to EBG# 14 Exhibit J - Grew Memo# 15 Exhibit K - CA Pay Memo# 16 Exhibit L - July 2006 HR Talk# 17 Exhibit M - Ferrer Verdict# 18 Certificate of Service)(Tuddenham, Edward) (Entered: 09/05/2006)
09/05/2006	 32	DECLARATION of Houston Ervin in Support re: 30 MOTION to Certify Class, filed. (Attachments: # 1 Exhibit A - OGC Employee Handbook)(Tuddenham, Edward) (Entered: 09/05/2006)
09/05/2006	 33	DECLARATION of Brian Ferry in Support re: 30 MOTION to Certify Class, filed. (Attachments: # 1 Exhibit A - OGC Employee Handbook# 2 Exhibit B - Paystubs# 3 certificate of service)(Tuddenham, Edward) (Entered: 09/05/2006)
09/05/2006	 34	DECLARATION of Russell Freese in Support re: 30 MOTION to Certify Class, filed. (Attachments: # 1 Exhibit A - OGC Employee Handbook# 2 Exhibit B - Paystubs# 3 certificate of service)(Tuddenham, Edward) (Entered: 09/05/2006)
09/05/2006	 35	DECLARATION of Walter Gassway in Support re: 30 MOTION to Certify Class, filed. (Attachments: # 1 Exhibit A - OGC Employee Handbook# 2 Exhibit B - Paystubs# 3 certificate of services)(Tuddenham, Edward) (Entered: 09/05/2006)
09/05/2006	 36	DECLARATION of Kevin Mitchell in Support re: 30 MOTION to Certify Class, filed. (Attachments: # 1 Exhibit A - OGC Employee Handbook# 2 Exhibit B - Paystubs# 3 certificate of service)(Tuddenham, Edward) (Entered: 09/05/2006)
09/05/2006	 37	DECLARATION of Warren Moore in Support re: 30 MOTION to Certify Class, filed. (Attachments: # 1 Exhibit A - OGC Employee Handbook# 2 Exhibit B - Paystubs# 3 certificate of service)(Tuddenham, Edward) (Entered: 09/05/2006)
09/05/2006	 38	DECLARATION of Rene Rendon in Support re: 30 MOTION to Certify Class, filed. (Attachments: # 1 Exhibit A - OGC Employee Handbook# 2 Exhibit B - Paystubs# 3 certificate of service)(Tuddenham, Edward) (Entered: 09/05/2006)
09/05/2006	 39	BRIEF in Support of <i>Plaintiff's Motion to Conditionally Certify Fair Labor Standard Act Opt-In and To Issue Notice</i> re: 30 MOTION to Certify Class by all plaintiffs, filed. (Attachments: # 1 Exhibit A - 2005 Annual Report# 2 Exhibit B - Answer# 3 Exhibit C1# 4 Exhibit C2# 5 Exhibit C3# 6 Exhibit C4# 7 Exhibit C5# 8 Exhibit D - Milne Deposition# 9 Exhibit E - OGC Employee Handbook# 10 Exhibit F - Plewa Deposition# 11 Exhibit G - Bloom memo# 12 Exhibit H - Ferrer Transcript# 13 Exhibit I - Bloom Letter# 14 Exhibit J - Glew memo# 15 Exhibit K - CA Pay Memo# 16 Exhibit L - July 2006 HR Talk# 17 Exhibit M - Ferrer Verdict# 18 certificate of service)(Tuddenham, Edward) (Entered: 09/05/2006)
09/06/2006		NOTICE OF FILING OF CONSENT TO SUE by Ruben Meza, Anthony J. Mustillo,

	40	David Springston, Richard D. Taylor, filed. (Attachments: # <u>1</u> Consent to sue of Ruben Meza# <u>2</u> Consent to Sue of David Springton# <u>3</u> Consent to sue of Anthony Mustillo# <u>4</u> Consent to Sue of Richard D. Taylor# <u>5</u> Certificate of Service)(Tuddenham, Edward) (Entered: 09/06/2006)
09/06/2006	41	CERTIFICATE of Conference re: <u>30</u> MOTION to Certify Class by all plaintiffs, filed. (Attachments: # <u>1</u> Certificate of service)(Tuddenham, Edward) (Entered: 09/06/2006)
09/06/2006	42	NOTICE of Filing of Consent to Sue by David Keith Whitten, filed. (Attachments: # <u>1</u> Consent to Sue of David Whitten# <u>2</u> Certificate of Service)(Tuddenham, Edward) (Entered: 09/06/2006)
09/06/2006		Minute Entry for proceedings held before Judge Samuel B Kent. SCHEDULING CONFERENCE held on 9/6/2006. Case sua sponte transferred to Southern District of New York, NY Division. Order to follow. Appearances:As noted on the record.(Court Reporter: J. Byers), filed.(cmcbroom,) (Entered: 09/11/2006)
09/08/2006	43	NOTICE OF FILING OF CONSENT TO SUE by Marcus S. Allen, Larry Prochazka, filed. (Attachments: # <u>1</u> consent to sue of Marcus S. Allen# <u>2</u> Consent to sue of Larry Prochazka# <u>3</u> certificate of service)(Tuddenham, Edward) (Entered: 09/08/2006)
09/08/2006	44	ORDER TO TRANSFER CASE to Southern District of New York, New York Division .(Signed by Judge Samuel B Kent) Parties notified.(ceaton,) (Entered: 09/11/2006)